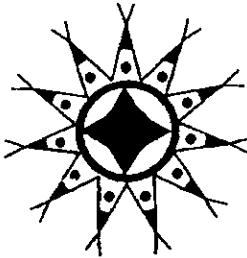


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UNITED SIOUX TRIBES  
OF SOUTH DAKOTA  
Development Corporation  
P.O. Box 1183  
Pierre, SD 57501

Administration 945-3075  
Employment Assistance 945-3074  
Workforce Investment Act 224-8865  
Business Office 224-8864  
Website [www.unitedsouxs.org](http://www.unitedsouxs.org)  
Fax (605) 224-0069



- Standing Rock
- Crow Creek
- Lower Brule
- Pine Ridge
- Fort Totten
- Cheyenne
- Flandreau
- Sisseton
- Rosebud
- Yankton
- Santee

Field Offices  
Rapid City 343-1100  
Sioux Falls 221-0077

December 14, 2007

RELEASED IN FULL

The Honorable Claudia A. McMurray  
Assistant Secretary  
Bureau of Oceans and International Environmental Scientific Affairs  
United States Department of State  
2201 C Street NW  
Washington, D.C. 20520

Subject: Government-to-government consultation on Keystone Oil Pipeline Project

Dear Assistant Secretary McMurray:

We received a notification that a government-to-government consultation is expected to occur on Tuesday, 18 December 2007. The State Department has scheduled this meeting at their main building at 2201 C Street, NW. The date and time of this consultation is very inconvenient, since another planned inter-tribal event occurs on the same day. Several of our Chairmen, Presidents and Chairwomen, have said they do not plan to attend the consultation, particularly the nine *Lakota-Nakota-Dakota* ("Sioux") tribal Chairmen from South Dakota.

The United Sioux Tribes Development Corporation was not formally notified by anyone from the U.S. State Department. The lack of coordination from the agency underscores the second-class citizens' behavior attributed to the Bush Administration, concerning the Sioux tribes and many other issues in Indian country. Our Sioux tribal organization has always served as an intermediary between the White House and federal government since the Nixon Administration. We extend our assistance to your office; however, our United Sioux Tribes Board of Directors will most likely oppose the 1,800 mile Keystone Oil Pipeline Project.

One of our directors, Ron His Horse is Thunder, Chairman of the Standing Rock Sioux Tribe, issued a resolution, "that no oil pipeline be constructed within the boundaries of the Aboriginal Homelands of the Great Sioux Nation." The Rosebud Sioux Tribe is likely to follow as other Sioux tribes. Our board is composed of the Sioux Chairmen, Presidents, and Chairpersons from all Sioux tribes in North Dakota, South Dakota and Nebraska.

We recommend you send out the programmatic agreement to all the tribes, including our office, if you intend to solicit support for the Keystone Oil Pipeline Project. Allow the

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tribes 90 days to review the document before a consultation is scheduled. We recommend you include the Assistant Secretary-Indian Affairs, Carl Artman, in the consultation process.

Please coordinate with us next time.

Thank you for your time and attention.

Sincerely,

*Clarence W. Skye*

Clarence W. Skye  
Executive Director

Enclosure (1)

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RESOLUTION NO. 502-07

WHEREAS, the Standing Rock Sioux Tribe is an unincorporated Tribe of Indians, having accepted the Indian Reorganization Act of June 18, 1934, with the exception of Section 16; and the recognized governing body of the Tribe is known as the Standing Rock Sioux Tribal Council; and

WHEREAS, the Standing Rock Sioux Tribal Council, pursuant to the amended Constitution of the Standing Rock Sioux Tribe, Article IV, Section 1[a], 1[c], 1[h], and 1[j], is authorized to negotiate with Federal, State and local governments and others on behalf of the Tribe, is further authorized to promote and protect the health, education and general welfare of the members of the Tribe; and

WHEREAS, in compliance with the National Environmental Policy Act 1969, the Department of State developed a "Draft Environmental Impact Statement for the Keystone Oil Pipeline Project" for the purpose of construction of 1,800 mile oil pipeline to transport crude oil from Hardisty Canada, through North and South Dakota, Nebraska, Kansas, Missouri and ending in Patoka, Illinois, with a possible extension to Cushing, Oklahoma; and

WHEREAS, the Tribal Historic Preservation Office has been delegated the responsibility to protect and preserve areas significant to the Standing Rock Sioux Tribe along with other Tribal Nations within Aboriginal Homelands; and

WHEREAS, Section 106 of the National Historic Preservation Act of 1966 requires consultation with Tribes affected by an undertaking that has potential to significantly impact natural and cultural resources; and

WHEREAS, the above listed areas lay within the Aboriginal Homelands of the bands of the Standing Rock Sioux Tribe; and there is a high potential for the existence of cultural resources significant to the Standing Rock Sioux Tribe in this area; and Section 101(d)(6)(B) of NEPA provides individuals and Tribes the opportunity to place religious and cultural significance to areas within the Aboriginal Homelands; and

WHEREAS, Executive Order 13007 specifically enjoins federal agencies to accommodate access and ceremonial use of Indian sacred sites and to avoid adversely affecting the physical integrity of sacred sites; and

WHEREAS, the Keystone Pipeline Environmental Impact Statement has not adequately addressed the existence and protection of cultural resources and their significance to the Standing Rock Sioux Tribe; and

NOW THEREFORE BE IT RESOLVED, that the Standing Rock Sioux Tribe requests that no oil pipeline be constructed within the boundaries of the Aboriginal Homelands of the Great Sioux Nation; and

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BE IT FURTHER RESOLVED, pursuant to 36 CFR 800.3(f)(3) the Standing Rock Sioux Tribe and the Standing Rock Tribal Historic Preservation Office requests to be consulting parties to all actions pertaining to the Keystone Pipeline Draft EIS; and also requests to be consulting parties to all actions pertaining to Section 106 of NHPA and Keystone Pipeline Draft EIS; and

BE IT FURTHER RESOLVED, that the Standing Rock Sioux Tribe request continuing consultation on reasonable foreseeable development and proposed alternatives, including impacts to natural and cultural resources within the pipeline corridor; and

BE IT FURTHER RESOLVED, that the Chairman and Secretary of the Tribal Council are hereby authorized and instructed to sign this resolution for and on behalf of the Tribe.

## CERTIFICATION

We, the undersigned, Chairman and Secretary of the Tribal Council, hereby certify that the Tribal Council is composed of 17 members of whom 16 constitute a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held on the 19<sup>th</sup> day of OCTOBER, 2007, and that the foregoing resolution was duly adopted by the affirmative vote of 15 members, and 0 opposing, and with 1 not voting. THE CHAIRMAN'S VOTE IS REQUIRED, EXCEPT IN CASE OF A TIE.

DATED THIS 19<sup>th</sup> DAY OF OCTOBER, 2007.

*Amis Little Eagle*  
for Amis Little Eagle  
Ron His Horse Is Thunder, Chairman  
Standing Rock Sioux Tribe

ATTEST:

*Geraldine Agard*  
\_\_\_\_\_  
Geraldine Agard, Secretary  
Standing Rock Sioux Tribe

[Official Tribal Seal]

Meeting Date: 10-19-2007  
Notice No. 25

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